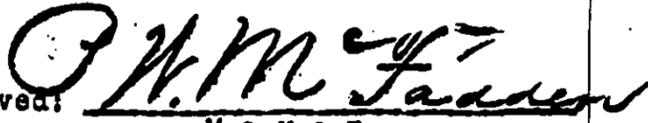


same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

Councilman Mueller moved that the awarding of contract for the resurfacing of Congress Avenue and Sixth Street be postponed for one week. Motion was seconded by Councilman Gillis and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

No further business coming before the Council, Councilman Mueller moved that the Council recess, subject to call of the Mayor. Motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

The Council then recessed.

Approved: 

MAYOR.

**REGULAR MEETING OF THE CITY COUNCIL:**

Austin, Texas, October 22, 1931.

The Council was called to order by the Mayor. Roll call showed the following members present: Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; absent, none.

The Minutes of the regular meetings of October 8th and 15th were read. Councilman Alford moved that same be adopted, and, also, the Minutes of the regular meeting of October 1st. Motion was seconded by Councilman Mueller and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The Mayor announced that the hearings on the following streets:

TENTH STREET from the east property line of Brazos Street to the west property line of Trinity Street, District No. P-184;

TRINITY STREET from the south property line of Ninth Street to the south property line of Eleventh Street, District No. P-185;

BELLEVUE PLACE from the east line of Duval Street to the west line of Harris Park Avenue, District No. P-183;

EAST SIXTEENTH STREET from the east property line of East Avenue to the east property line of Navasota Street, District No. 52;

WABASH AVENUE from the north property line of Thirty-fourth Street to the south property line of Thirty-eighth Street, District No. P-168;

ALICE AVENUE from the north property line of Thirty-eighth Street to the south property line of Fortieth Street, District No. P-170;

ALICE AVENUE from the south property line of Fortieth Street to the north property line of Forty-second Street, District No. P-171;

ALICE AVENUE from the north line of Forty-second Street to a line crossing Alice Avenue at right angles from the point of intersection of the city limits line with the west line of said Alice Avenue, District No. P-172;

THIRTY-EIGHTH STREET from the east line of Wabash Avenue on the south side and the west line of alley east of Alice Avenue on the north side to the east line of alley west of Wabash Avenue on the south side to the west line of Alice Avenue on the north side, District No. P-169;

which were continued from the last regular meeting, would now be opened. The following persons appeared and were heard:

On Alice Avenue - Districts Nos. P-170, P-171, and P-172:

J. W. Derr and W. H. Ditttrich stated that they thought the paving was badly needed on this street and were in favor of same.

L. F. Goerge stated that he was in favor of the paving, but was financially unable to pay for same.

On Wabash Avenue, District No. P-168:

A petition signed by the property owners, asking that this street be not paved at this time as they were financially unable to pay for same, was read.

On Trinity Street, District No. P-185:

Edgar Smith presented a petition signed by the property owners on this street, asking that same be not paved at this time as they were financially unable to pay for it.

On Tenth Street, District No. P-184:

Mrs. Pearl R. Key stated that she thought it unwise to pave so short a street, that it is not a thoroughfare and no necessity exists for the paving of same; that she is not financially able at this time to bear her part of the cost, but that if the paving were postponed for twelve months she would be willing to pave if conditions were better at that time.

L. Cohn, representing the Jewish Synagogue, Edgar Smith, and William Rudolph, presented a petition signed by the property owners on this street, protesting the paving of same on account of the depression and the further fact that they did not consider the paving necessary.

On Bellevue Place, District P-183:

Mrs. Nella T. Evans asked that the City make an adjustment of 50% on her assessment. She was asked to submit her proposition in writing to the Council, which she agreed to do.

No other property owners or interested persons appearing to be heard, the hearing on each of the above named streets was continued until the next regular meeting.

Prof. A. N. McCallum, Superintendent of the Austin Public Schools, presented a petition signed by the qualified voters of the territory out of the Esperanza Common School District No. 7, known as the State School for the Feeble-minded tract, asking that this territory be taken into the corporate limits for school purposes only, and a resolution of the Board of Trustees of the Austin Public Schools recommending that same be done. Dr. J. W. Bradfield and Mrs. D. D. Smith, Petitioners, were also present and spoke of the need of such action.

The Mayor then laid before the Council the following ordinance:

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF AUSTIN, TEXAS, FOR SCHOOL PURPOSES ONLY, TO INCLUDE THAT CERTAIN TERRITORY OUT OF ESPERANZA COMMON SCHOOL DISTRICT NO. 7, KNOWN AS STATE SCHOOL FOR FEEBLE-MINDED TRACT, DESCRIBED IN THIS ORDINANCE, AND PROVIDING FOR THE ASSESSMENT AND COLLECTION OF SCHOOL TAXES WITHIN THE TERRITORY SO ADDED.

The above ordinance was read the first time and Councilman Mueller moved a suspension of the rule and the placing of the ordinance on its second reading. Motion was seconded by Councilman Gillis and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The ordinance was read the second time and Councilman Mueller moved a further suspension of the rule and the placing of the ordinance on its third reading. Motion was seconded by Councilman Gillis and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The ordinance was read the third time and Councilman Mueller moved that same be finally passed. Motion was seconded by Councilman Gillis and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The Mayor laid before the Council for its third reading the following ordinance:

AN ORDINANCE PROHIBITING THE STOPPING OR STANDING OF VEHICLES IN FRONT OF RESIDENCES AND PRIVATE DRIVEWAYS IN THE CITY OF AUSTIN, REPEALING ORDINANCES IN CONFLICT, AND PRESCRIBING PENALTIES.

The above ordinance was read the third time and Councilman Gillis moved that same be finally passed. Motion was seconded by Mayor McFadden and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, 3; nays, Councilmen Mueller and Steck, 2.

Reports of Southwest Bitulithic Company, advising that paving has been completed on Crockett Street from the north line of Fifth Street to the south line of Sixth Street, known as Unit or District No. P-159; Eleventh Street from the east line of Red River Street to the west line of East Avenue, known as Unit or District No. P-156, except abutting the homestead of Walter Kuehne; Fifth Street from the west line of West Avenue to the east line of Bowie Street, known as Unit or District No. P-157, except abutting the homestead of I. N. Taylor; and Fifth Street from the east line of Bowie Street to the west line of Crockett Street, known as Unit or District No. P-158, except abutting the homestead of Bessie Taylor, in accordance with the plans and specifications, and of H. R. F. Helland, Consulting Engineer, recommending the acceptance of same, were read and filed.

The Mayor then laid before the Council the following resolutions:

RESOLUTION ACCEPTING STREET IMPROVEMENTS CONSTRUCTED BY SOUTHWEST BITULITHIC COMPANY ON A PORTION OF CROCKETT STREET IN THE CITY OF AUSTIN, PROVIDING FOR PAYMENT OF ANY BALANCE DUE BY THE CITY FOR ITS PORTION OF THE COST OF SAID IMPROVEMENTS AND FOR THE DELIVERY OF CERTIFICATES OF ASSESSMENT AGAINST ABUTTING PROPERTY AND ITS OWNERS.

WHEREAS, on the 4th day of May, A. D. 1931, the City of Austin entered into a contract with Southwest Bitulithic Company whereby said company agreed to construct street improvements upon various portions of streets in the City of Austin, Texas, among which portions of streets was the following, to-wit:

CROCKETT STREET from the north property line of West Fifth Street to the south property line of West Sixth Street, known and designated as Unit or District No. P-159; and

WHEREAS, said contractor has fully completed the street improvements upon said unit or district of improvement above described in accordance with its contract and the plans and specifications made a part thereof and said improvements have been found satisfactory and approved by the Consulting Engineer of the City, and have been found satisfactory and in accordance with the contract by the City Council of said City;

Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

I.

That the street improvements constructed by Southwest Bitulithic Company upon said portion of Crockett Street hereinbefore described be and the same are hereby in all things approved and accepted by the City of Austin.

II.

That any balance of the portion of cost of said improvements agreed to be paid by the City of Austin be forthwith paid to said Contractor, and that the Mayor and City Clerk of said City of Austin be and they are hereby directed to execute and deliver to said Southwest Bitulithic Company assignable certificates of assessment against the various parcels

of property abutting upon said portion of street and the owners of said property as heretofore provided by the ordinance levying assessments against said property and the owners thereof.

III.

That this resolution take effect at once.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

RESOLUTION ACCEPTING STREET IMPROVEMENTS CONSTRUCTED BY SOUTHWEST BITULITHIC COMPANY ON A PORTION OF ELEVENTH STREET IN THE CITY OF AUSTIN, PROVIDING FOR PAYMENT OF ANY BALANCE DUE BY THE CITY FOR ITS PORTION OF THE COST OF SAID IMPROVEMENTS AND FOR THE DELIVERY OF CERTIFICATES OF ASSESSMENT AGAINST ABUTTING PROPERTY AND ITS OWNERS.

WHEREAS, on the 4th day of May, A. D. 1931, the City of Austin entered into a contract with Southwest Bitulithic Company whereby said company agreed to construct street improvements upon various portions of streets in the City of Austin, Texas, among which portions of streets was the following, to-wit:

ELEVENTH STREET from the east property line of Red River Street to the west property line of East Avenue, known and designated as Unit or District No. P-156; and

WHEREAS, said contractor has fully completed the street improvements upon said unit or district of improvement above described in accordance with its contract and the plans and specifications made a part thereof and said improvements have been found satisfactory and approved by the Consulting Engineer of the City, and have been found satisfactory and in accordance with the contract by the City Council of said City;

Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

I.

That the street improvements constructed by Southwest Bitulithic Company upon said portion of Eleventh Street hereinbefore described be and the same are hereby in all things approved and accepted by the City of Austin.

II.

That any balance of the portion of cost of said improvements agreed to be paid by the City of Austin be forthwith paid to said Contractor, and that the Mayor and City Clerk of said City of Austin be and they are hereby directed to execute and deliver to said Southwest Bitulithic Company assignable certificates of assessment against the various parcels of property abutting upon said portion of street and the owners of said property as heretofore provided by the ordinance levying assessments against said property and the owners thereof.

III.

That this resolution take effect at once.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

RESOLUTION ACCEPTING STREET IMPROVEMENTS CONSTRUCTED BY SOUTHWEST BITULITHIC COMPANY ON A PORTION OF WEST FIFTH STREET IN THE CITY OF AUSTIN, PROVIDING FOR PAYMENT OF ANY BALANCE DUE BY THE CITY FOR ITS PORTION OF THE COST OF SAID IMPROVEMENTS AND FOR THE DELIVERY OF CERTIFICATES OF ASSESSMENTS AGAINST ABUTTING PROPERTY AND ITS OWNERS.

WHEREAS, on the 4th day of May, A. D. 1931, the City of Austin entered into a contract with Southwest Bitulithic Company whereby said company agreed to construct street improve-

ments upon various portions of streets in the City of Austin, Texas, among which portions of streets was the following, to-wit:

WEST FIFTH STREET from the west property line of West Avenue to the east property line of Bowie Street, known and designated as Unit or District No. P-157;

WEST FIFTH STREET from the east property line of Bowie Street to the west property line of Crockett Street, known and designated as Unit or District No. P-158; and

WHEREAS, said contractor has fully completed the street improvements upon said unit or district of improvement above described in accordance with its contract and the plans and specifications made a part thereof and said improvements have been found satisfactory and approved by the Consulting Engineer of the City, and have been found satisfactory and in accordance with the contract by the City Council of said City;

Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

I.

That the street improvements constructed by Southwest Bitulithic Company upon said portion of West Fifth Street hereinbefore described be and the same are hereby in all things approved and accepted by the City of Austin.

II.

That any balance of the portion of cost of said improvements agreed to be paid by the City of Austin be forthwith paid to said Contractor, and that the Mayor and City Clerk of said City of Austin be and they are hereby directed to execute and deliver to said Southwest Bitulithic Company assignable certificates of assessment against the various parcels of property abutting upon said portion of street and the owners of said property as heretofore provided by the ordinance levying assessments against said property and the owners thereof.

III.

That this resolution take effect at once.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steek, 5; nays, none.

Reports of L. E. Whitham & Company and H. R. F. Helland, Consulting Engineer, stating that the paving has been completed on Waller Boulevard from the north line of Archway on the west side and the south line of Park Place on the east side to the west line of Speedway, known as Unit No. P-176; and Duval Street from the north line of Waller Boulevard to the north line of 29th Street, known as Unit No. P-181, according to the plans and specifications and recommending the acceptance of same, were read and ordered filed.

The Mayor then laid before the Council the following resolution:

RESOLUTION OF THE CITY OF AUSTIN, TEXAS, ACCEPTING THE IMPROVEMENT OF A PORTION OF WALLER BOULEVARD, AND SUNDRY OTHER STREETS IN THE CITY OF AUSTIN, AND AUTHORIZING THE PAYMENT OF THE BALANCE DUE BY THE CITY OF AUSTIN AND THE ISSUANCE AND DELIVERY OF CERTIFICATES OF SPECIAL ASSESSMENT AGAINST OWNERS OF ABUTTING PROPERTY.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That, Whereas, heretofore the hereinafter described streets were ordered improved, contract for said work of improvement duly entered into, and assessment levied against abutting property and the owners thereof to cover the portion of the cost payable by the said property owners; and

WHEREAS, pursuant to said contract and other proceedings in connection therewith, L. E. Whitham & Company has completed the improvement of the following streets, to-wit:

WALLER BOULEVARD from the north line of Archway on the west and the south line of Park Place on the east side to the west line of Speedway, Unit No. P-176;

DUVAL STREET from the north line of Waller Boulevard to the north line of 29th Street, Unit No. P-181; and

WHEREAS, said improvement is in strict compliance with the terms of said contract, specifications adopted for said improvement, and other proceedings in connection therewith;

Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT said improvement on said portion of said streets be and the same is hereby accepted as in full compliance with the terms of said contract, specifications and proceedings, and the final estimate due from the City of Austin to L. E. Whitham & Company be and the same is hereby ordered paid.

That the Mayor and City Clerk be and are hereby authorized and instructed to issue, execute and deliver to L. E. Whitham & Company certificates of special assessment against the abutting property and the owners thereof, evidencing the several sums of money assessed against said property and the owners thereof respectively for their pro rata of the cost of said improvements, in accordance with the terms of said contract and proceedings.

That this resolution shall take effect and be in force from and after its passage.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The Mayor laid before the Council the following resolution:

WHEREAS, it is determined to construct a public library building on the present public library site at the corner of Guadalupe Street and 9th Street in the City of Austin, when the City Bonds voted for that purpose are issued and sold; and

WHEREAS, it becomes necessary to employ the professional services of an architect in such undertaking; and

WHEREAS, it is determined to employ H. F. Kuehne for said purpose, upon the terms and conditions hereinafter expressed;

Now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Manager be and he is hereby authorized and directed, in behalf of the City of Austin, to enter into contract with said H. F. Kuehne, hereafter called the "Architect", whereby the City employs the professional services of the Architect, to consist of all necessary conferences and advice, the preparation of preliminary studies, working drawings, specifications, large scale and full-size detail drawings, for the building and equipment thereof, drafting of proposals and contracts, issuance of certificates of payment, keeping of accounts, and the general administration of the business and supervision of the work; for which services the Architect shall be paid a fee at the rate of 5 per cent, computed upon the cost of the work in respect to which such services have been performed, payments to the Architect on such fee to be made as follows: upon completion of the preliminary studies, a sum equal to 20 per cent of said 5 per cent, computed upon a reasonable estimated cost; upon completion of specifications and general workmen drawings, (exclusive of details) when same have been approved by the City Council, a sum sufficient to increase payments on the fee to 60 per cent of said 5 per cent, computed upon a reasonable cost estimated on such

completed specifications and drawings, or if bids have been received then computed upon the lowest bona fide bid or bids; and from time to time during the execution of the work and in proportion to the amount of service rendered by the Architect, payments shall be made until the aggregate of all payments made on account of said fee shall be a sum equal to the rate or rates of commission arising from this agreement, computed upon the final cost of the work; provided, that payments to the Architect, other than those on his fee, shall fall due from time to time as his work is done or as costs are incurred, and no deduction shall be made from the Architect's fee on account of penalties, liquidated damages, or other sums withheld from payments to contractors; and provided further, that if after a definite scheme for the construction of said library building has been approved by the City Council, the City makes a decision which for its proper execution involves extra services and expense for changes in or additions to the drawings, specifications or other documents, or if a contract be let by cost of labor and material plus a per centage or fixed sum, or if the Architect, put to labor or expense by delays caused by the City or a contractor, or by the delinquency or insolvency of either, or as a result of damage by fire, he shall be equitably paid for such extra service and expense; and provided further, that should the execution of any work designed or specified by the Architect be abandoned or suspended, the Architect is to be paid in accordance with or in proportion to the terms stated above for the service rendered on account of it, up to the time of such abandonment or suspension.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The Mayor laid before the Council the following resolution:

WHEREAS, Kimbell Milling Company of Fort Worth, Texas, failed to render the stock of merchandise which it had in the City of Austin on January 1, 1930; and

WHEREAS, the Tax Department was unable to locate any person in charge of said merchandise from whom to secure a rendition, and in the absence of any better information assessed Kimbell Milling Company with \$10,000.00 worth of merchandise, which figure was a copy of the 1929 rendition; and

WHEREAS, from the attached inventory, accompanied by an affidavit furnished by the Kimbell Milling Company, shows that said concern had \$3,233.61 worth of merchandise in the City of Austin on January 1, 1930;

Now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the assessment of the Kimbell Milling Company be changed from \$10,000.00 to \$2,155.00, same being two-thirds of the full inventory attached hereto and the Tax Assessor and Collector is hereby authorized to change his rolls accordingly.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The Mayor laid before the Council the following resolution:

WHEREAS, Texas Public Service Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council;

Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Texas Public Service Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

A gas main in DEPEW STREET from East Forty-fifth Street northerly to the City Limits, the center line of which gas main shall be 9 feet east of and parallel to the west line of said Depew Street.

The Texas Public Service Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may be required at special points. When the Texas Public Service Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments they shall apply to the City Engineering Department not less than three (3) days before such information is required. The Texas Public Service Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

AND THAT wherever pavement is out in the vicinity of a fire plug, water must be used at intervals during the course of back filling of the ditches.

AND THAT whenever it becomes necessary to cross Depew Street with connections to the above described gas main, the connecting pipes shall be carried underneath the surface of the street in such a way as to avoid any injury whatever to the surface of the street.

THAT the work and laying of said gas mains, including the excavation in the streets, and the restoration and maintenance of said streets after said mains have been laid, shall be under the supervision and direction of the City Manager, and under all the pertinent terms and conditions of the certain franchise granted to said company by the City of Austin.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The Mayor laid before the Council the following reports :

"Austin, Texas, October 22, 1931.

Hon. Mayor , City Councilmen, and  
City Manager,  
City of Austin,

Gentlemen:

Pursuant to your request we have investigated the application of F. J. Flournoy, acting as agent for C. A. Peters for a permit to construct and operate a filling station at the southwest corner of East 7th Street and East Avenue. We find that the property is located upon land which has been placed within the "C" Commercial Use District by the City Council of the City of Austin. We recommend that the site be tentatively approved and that the owner be advised to present his plans and specifications for the proposed construction work for approval before the permit is finally granted.

Respectfully submitted,

(Sgd) Orin E. Metcalfe,  
City Engineer.

G. S. Moore,  
Building Inspector. "

Councilman Mueller moved that the above site for a filling station be tentatively approved, pending submission of plans and specifications for such filling station by the owner. Motion was seconded by Mayor McFadden and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

"Austin, Texas, October 22, 1931.

Hon. Mayor , Councilmen and City Manager,  
City of Austin.

Gentlemen:

Pursuant to your request, we have investigated the application of F. J. Flournoy, acting as agent for H. L. Moore, for a permit to construct and operate a filling station at the

southwest corner of West 12th Street and Ruiz Street. We find that the property is located upon land which has been placed within the "C" Commercial Use District by the City Council of the City of Austin. We recommend that the site be tentatively approved and that the owner be advised to present his plans and specifications for the proposed construction work for approval before the permit is finally granted.

Respectfully submitted,

(Sgd) Orin E. Metcalfe,  
City Engineer.

G. S. Moore,  
Building Inspector. "

Councilman Mueller moved that the above site for a filling station be tentatively approved, pending submission by the owner of plans and specifications for same. Motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

City Manager Johnson submitted to the Council a communication from Tom Neal, Captain of the Police Traffic Division, recommending that the stop signs on Twelfth Street at Rio Grande Street be taken up and placed on Rio Grande Street at Twelfth Street and the stop signs on Nueces Street at Twelfth Street be taken up and placed on Twelfth Street at Nueces Street. The City Manager was authorized to have this change made.

The Mayor laid before the Council the following ordinance:

AN ORDINANCE REGULATING TRAFFIC ON CERTAIN STREETS AT CERTAIN INTERSECTIONS IN THE CITY OF AUSTIN, PROVIDING FOR STOP-SIGNS AT SUCH POINTS, AND PRESCRIBING A PENALTY FOR THE VIOLATION OF THE ORDINANCE.

The above ordinance was read the first time and Councilman Mueller moved a suspension of the rule and the placing of the ordinance on its second reading. Motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The ordinance was read the second time and Councilman Mueller moved a further suspension of the rule and the placing of the ordinance on its third reading. Motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The ordinance was read the third time and Councilman Mueller moved that same be finally passed. Motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The Mayor laid before the Council the following ordinance:

AN ORDINANCE AMENDING, IN THE CERTAIN PARTICULARS HEREINAFTER STATED, AN ORDINANCE ENTITLED: "AN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN; AND REGULATING AND DISTRICTING THE HEIGHT, NUMBER OF STORIES AND SIZE OF BUILDINGS AND OTHER STRUCTURES, THE PERCENTAGE OF LOT THAT MAY BE OCCUPIED, THE SIZE OF YARDS, COURTS AND OTHER OPEN SPACES, THE DENSITY OF POPULATION, THE LOCATION AND USE OF BUILDINGS, STRUCTURES AND LAND FOR TRADE INDUSTRY, RESIDENCES AND OTHER PURPOSES; AND DIVIDING THE CITY OF AUSTIN INTO DISTRICTS OR ZONES, AND REGULATING AND DISTRICTING THE ERECTION, CONSTRUCTION, RECONSTRUCTION, ALTERATION, REPAIR AND USE OF BUILDINGS, STRUCTURES OR LAND WITHIN SUCH DISTRICTS OR ZONES; AND PROVIDING UNIFORM REGULATIONS FOR THE SEVERAL CLASSES AND KINDS OF BUILDINGS OR STRUCTURES AND USES WITHIN THE DISTRICTS OR ZONES; AND ADOPTING TWO ZONING MAPS, DISCLOSING RESPECTIVELY THE SEVERAL USE DISTRICTS AND THE SEVERAL HEIGHT AND AREA DISTRICTS, AND THE RESTRICTIONS AND LIMITATIONS AND PROVISIONS APPLICABLE TO SUCH DISTRICTS; AND PROVIDING FOR A BOARD OF ADJUSTMENT AND DEFINING THE POWERS OF SAME; AND PROVIDING CERTAIN PENALTIES AND REMEDIES; AND DECLARING AN EMERGENCY."

The foregoing ordinance was read the first time and Councilman Steck moved a suspension of the rule and the placing of the ordinance on its second reading. Motion was seconded by Councilman Mueller and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The ordinance was read the second time and Councilman Steck moved a further suspension of the rule and the placing of the ordinance on its third reading. Motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The ordinance was read the third time and Councilman Steck moved that same be finally passed. Motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The City Manager submitted to the Council the following report from the United Engineers & Constructors, Inc:

"112 North Broad Street,  
Philadelphia, Pa.  
October 21, 1931.

Mr. Adam R. Johnson,  
City Manager, City of Austin,  
Austin, Texas.

Dear Mr. Johnson:

We have carefully tabulated and analyzed the quotations on the Boiler Equipment, for which we opened bids on October 19th, and have given each Manufacturer's Representative a hearing.

Submitted herewith is a description of the bids, copy of the tabulation of the bids, copy of each bid, and copy of each bid specification.

Our recommendation for the purchase of the equipment is as follows:

Boiler, Superheater, Air Heater, Water Walls and Burner  
Equipment Quotations:

	<u>B &amp; W Co.</u>	<u>Combustion Engineering Co.</u>	<u>Foster Wheeler</u>
Boiler Equipment: \$	96,985.00	\$ 98,083.00	\$ 98,104.00
Burner Equipment:	6,002.00	9,711.00	9,711.00
	\$ 102,987.00	\$107,794.00	\$107,815.00

Amount in preliminary estimate, \$106,000.00

We recommend the purchase of equipment from the low bidder, B & W Company on the basis of being low bid and most satisfactory equipment.

Forced and Induced Draft Fan Quotation

<u>Sturtevant</u>	<u>American B.</u>	<u>Green Fuel</u>	<u>Pratt Daniels</u>
\$ 4,330.00	\$ 4,836.00	\$ 6,840.00	\$ 14,360.00

Amount in preliminary estimate, \$ 7,000.00

We recommend the purchase of equipment from the low bidder, Sturtevant Company, on the basis of low bid and satisfactory equipment.

Turbine Drive for Boiler Feed Pump Quotation

<u>General Electric</u>	<u>Westinghouse</u>	<u>De Laval</u>	<u>Terry</u>
\$ 870.00	\$ 1,620.00	\$2,014.00	\$ 1,185.00

Amount in preliminary estimate, \$2,000.00

We recommend the purchase of equipment from the low bidder, General Electric Company, on the basis of being the low bid and satisfactory equipment for the service for which it is to be used.

Boiler Feed Pump Quotation

<u>Ingersoll Rand</u>	<u>De Laval</u>	<u>Allis Chalmers</u>
\$ 6,049.00	\$ 5,440.00	\$ 5,465.00

We recommend the purchase of equipment from the low bidder, De Laval, on the basis of being the low bid and satisfactory equipment.

The estimate will be slightly over-run on this item.

We will be pleased to receive further instructions from you regarding placing orders for this equipment.

Yours very truly,

(Sgd) E. B. Severs

(Sgd) Walter E. Seaholm

Councilman Mueller moved that the above and foregoing recommendations of the United Engineers & Constructors, Inc. be approved and the City Manager be authorized to enter into contracts with the low bidders for the purchase of said equipment as recommended by the said United Engineers & Constructors, Inc. Motion was seconded by Councilman Gillis and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The application of E. R. Hollis for permit to construct a set back curb at 1109 Red River Street, and a report of Orin E. Metcalfe, City Engineer, recommending the granting of same, were read and ordered filed.

The Mayor then laid before the Council the following resolution:

WHEREAS, E. R. Hollis, owner of the property situated at 1109 Red River Street and being a portion of Lot 3, Block 140 of the Original City of Austin, has requested the City Council to grant him a permit to set his curb back adjacent to his property; and

WHEREAS, the City Engineer has recommended that said request be granted, subject to the following conditions:

1. That a concrete curb six inches high be constructed adjacent to the setback area.
2. That the setback area between the old gutter line and the proposed new curb be constructed of concrete not less than six inches thick and composed of one part cement, two parts sand and four parts gravel.
3. That all new construction work in Red River Street shall be constructed in accordance with lines and grades furnished by the Engineering Department.
4. That the layout of the work shall be in accordance with a plan marked 2-H-185, which plan accompanies this resolution and is made a part hereof.

Whereas, the City Council has considered and approved the proposed curb setback in accordance with the attached plan; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT E. R. Hollis is hereby granted permission to make a curb setback adjacent to his property situated at 1109 Red River Street subject to the foregoing conditions.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

Councilman Mueller moved that the bid of the Southern Paving Company for the resurfacing of Congress Avenue and Sixth Street with rock asphalt, in the amount of \$27,567.20, be accepted and the City Manager be authorized to enter into a contract with said firm accordingly. Motion was seconded by Councilman Steck and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

Resolutions of the Board of Adjustment, passed at their meeting held on October 13, 1931, recommending certain changes in the Zoning Ordinance, were read. The Mayor then laid before the Council for adoption the following resolution setting forth said changes as recommended by said Board of Adjustment:

WHEREAS, the Board of Adjustment has proposed that the Zoning Ordinance of the City of Austin be amended in the following particulars:

(1) To amend the HEIGHT AND AREA designation of all that property fronting east on East Avenue and extending westerly one-half block to the street or alley west of and nearly parallel to East Avenue between 19th and 23 $\frac{1}{2}$  Streets and that area fronting west on East Avenue and extending easterly one-half block between 20th Street and Manor Road and all that area which is adjacent to Manor Road between East Avenue and the east City limits which extends both northerly and southerly one-half block from Manor Road, so as to change same from a FIRST HEIGHT AND AREA DISTRICT TO a SECOND HEIGHT AND AREA DISTRICT.

(2) To amend the HEIGHT AND AREA designation of all that property fronting both north and south on 12th Street between Navasota Street and the east City limits and extending one-half block north or one-half block south of the lines of East 12th Street, so as to change same from a FIRST HEIGHT AND AREA DISTRICT to a SECOND HEIGHT AND AREA DISTRICT.

(3) To amend the HEIGHT AND AREA designation of all that property fronting north on Rosewood Avenue lying between Chicon Street and Chestnut Avenue and running southerly to the alley or one-half block south of the south line of Rosewood Avenue, so as to change same from a FIRST HEIGHT AND AREA DISTRICT to a SECOND HEIGHT AND AREA DISTRICT.

(4) To amend the HEIGHT AND AREA designation of all that property fronting north on 11th Street between San Marcos Street and the State Cemetery and extending southerly from 11th Street one-half block to the alley, so as to change same from a FIRST HEIGHT AND AREA DISTRICT to a SECOND HEIGHT AND AREA DISTRICT.

(5) To amend the HEIGHT AND AREA designation of all that property fronting south on East 7th Street from the east line of East Avenue to the State Cemetery and extending northerly to the alley which is parallel to 7th Street except the most westerly block which is to extend northerly to 8th Street and fronting northerly on 7th Street between East Avenue and Comal Street and extending southerly one-half block to the first alley south of 7th Street, so as to change same from a FIRST HEIGHT AND AREA DISTRICT to a THIRD HEIGHT AND AREA DISTRICT.

(6) To amend the HEIGHT AND AREA designation of all that area lying north and south of East 1st Street and East 2nd Street lying between East Avenue and Llano Street, the northern boundary of this district being one-half block north of and parallel to the north line of 2nd Street between East Avenue and Canadian Street and lying one-half block north of and parallel to the north line of 1st Street between Canadian Street and Llano Street and lying one-half block south of and parallel to the south line of East 1st Street between the east line of East Avenue and a point one-half block east of the east line of Llano Street and to include all intervening areas, so as to change same from a FIRST HEIGHT AND AREA DISTRICT to a SECOND HEIGHT AND AREA DISTRICT.

(7) To amend the HEIGHT AND AREA designation of all that property fronting southerly on 1st Street between Brazos Street and Sabine Street and running northerly one-half block to the first alley north of 1st Street, so as to change same from a SECOND HEIGHT AND AREA DISTRICT to a FOURTH HEIGHT AND AREA DISTRICT.

(8) To amend the HEIGHT AND AREA designation of all that property lying one-half block both north and south of Barton Springs Road between Barton Creek and a point 200 feet west of the west line of South 1st Street, so as to change same from a FIRST HEIGHT AND AREA DISTRICT to a SECOND HEIGHT AND AREA DISTRICT.

(9) To amend the HEIGHT AND AREA designation of an area one-half block wide on each side of South 1st Street and running from Bouldin Creek southerly to a point one-half block south of the south line of Johanna Street, so as to change same from a FIRST HEIGHT AND AREA DISTRICT to a SECOND HEIGHT AND AREA DISTRICT.

(10) To amend the HEIGHT AND AREA designation of all that property fronting both north and south on Live Oak Street between South Congress Avenue easterly to a point which is 180 feet east of the east line of the Post Road and extending north and south one-half block from said Live Oak Street; also that area lying between the Post Road and the east line of the City of Austin lying between Live Oak Street and the City limits; also all that area which lies south of Oltorf Street and the City limits between Wilson Street and the Post Road, so as to change same from a FIRST HEIGHT AND AREA DISTRICT to a SECOND HEIGHT AND AREA DISTRICT.

(11) To amend the USE designation of all that property lying between the alley north of East 5th Street and the alley south of East 3rd Street and between the east line of East Avenue and a line 184 feet east of and parallel to the east line of East Avenue, so as to change same from "A" RESIDENCE DISTRICT and "C" COMMERCIAL DISTRICT to "D" INDUSTRIAL DISTRICT.

(12) To amend the USE designation of all of original Lots 1, 2, and 3, Block 159, and all of Lots 1, 2, and 3, Block 160, of the Original City of Austin, so as to change same from a "B" RESIDENCE DISTRICT to a "C" COMMERCIAL DISTRICT; and

WHEREAS, under the terms of the Zoning Ordinance such matters must be referred to the City Plan Commission for its consideration and action and that a public hearing be held at which opportunity shall be given the public to offer any objections to said amendments; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That said matters be referred to the City Plan Commission for its consideration and report to the City Council; and that a public hearing be held thereon at the City Hall at 11:00 A. M. on Thursday, November 12, 1931, and that notice of such hearing be completed by publication as required by the terms of said Zoning Ordinance.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

Councilman Mueller moved that the Council recess, subject to call of the Mayor. Motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The Council then recessed.

Approved: *J. M. Fadden*

MAYOR.